UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS	
SECURITIES AND EXCHANGE COMMISSION, Plaintiff,))))
v.) No. 06-10885-NMG
JAMES TAMBONE and ROBERT HUSSEY,))
Defendants.))
	<i>)</i>)

DECLARATION OF CHRISTOPHER M. JORALEMON IN SUPPORT OF ROBERT HUSSEY'S MOTION FOR SUMMARY JUDGMENT

CHRISTOPHER M. JORALEMON hereby declares under penalty of perjury as follows:

- 1. I am a member in good standing of the Bar of the State of New York and a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel to Robert Hussey in the above-captioned action. I am admitted to practice before this Court *pro hac vice*. I submit this declaration in support of Robert Hussey's Motion for Summary Judgment.
- 2. Attached as Exhibit A hereto is a true and correct copy of a May 2001 Investment Adviser Data Sheet and Examination Report concerning Colonial Advisory Services, Inc. prepared by the Office of Examinations, Compliance, and Inspection ("OCIE") of Plaintiff Securities and Exchange Commission.
- 3. Attached as Exhibit B hereto is a true and correct copy of an August 2001 Examination Report concerning Columbia Trust Company prepared by OCIE.
 - 4. Attached as Exhibit C hereto is a true and correct copy of a September 2001

Investment Company Examination Report concerning Columbia Funds and CMC Fund Trust prepared by OCIE.

- 5. Attached as Exhibit D hereto is a true and correct copy of an October 2001 Investment Adviser Examination Report concerning Columbia Management Company prepared by OCIE.
- 6. Attached as Exhibit E hereto is a true and correct copy of an October 2001 Investment Adviser Examination Report concerning Columbia Funds Management Company prepared by OCIE.
- 7. Attached as Exhibit F hereto is a true and correct copy of a 1999 Investment Adviser Examination Report concerning Crabbe Huson Group, Inc. prepared by OCIE.
- 8. Attached as Exhibit G hereto is a true and correct copy of an April 1999 Investment Company Examination Report concerning Crabbe Huson Funds prepared by OCIE.
- 9. Attached as Exhibit H hereto is a true and correct copy of an August 1998 Variable Insurance Products Examination Report concerning Keyport Life Insurance Company prepared by OCIE.
- 10. Attached as Exhibit I hereto is a true and correct copy of an August 1998 Investment Adviser Data Sheet and Examination Report concerning Liberty Advisory Services Corporation prepared by OCIE.
- 11. Attached as Exhibit J hereto is a true and correct copy of an August 2000 Investment Adviser Examination Report concerning Liberty Capital Advisors, Inc. prepared by OCIE.
- 12. Attached as Exhibit K hereto is a true and correct copy of a July 2001 Investment Company Data Sheet and Examination Report concerning Liberty Funds and Liberty All-Star

Funds prepared by OCIE.

- 13. Attached as Exhibit L hereto is a true and correct copy of a July 2001 Investment Adviser Data Sheet and Examination Report concerning Liberty Advisory Services Corporation prepared by OCIE.
- 14. Attached as Exhibit M hereto is a true and correct copy of a July 2001 Investment Company Data Sheet and Examination Report concerning Liberty Variable Investment Trust prepared by OCIE.
- 15. Attached as Exhibit N hereto is a true and correct copy of a February 2001 Investment Adviser Examination Report concerning Liberty Wanger Asset Management, L.P. prepared by OCIE.
- 16. Attached as Exhibit O hereto is a true and correct copy of a February 2001 Investment Company Examination Report concerning Liberty Acorn Wanger Asset Management, L.P. prepared by OCIE.
- 17. Attached as Exhibit P hereto is a true and correct copy of a July 2000 Investment Adviser Examination Report concerning Newport Pacific Management, Inc. prepared by OCIE.
- 18. Attached as Exhibit Q hereto is a true and correct copy of a July 2000 Investment Adviser Examination Report concerning Newport Fund Management, Inc. prepared by OCIE.
- 19. Attached as Exhibit R hereto is a true and correct copy of a July 1998 Investment Company Examination Report concerning Stein Roe Advisor Trust prepared by OCIE.
- 20. Attached as Exhibit S hereto is a true and correct copy of a January 2000 Investment Company Examination Report concerning Liberty/Stein Roe Funds prepared by OCIE.
 - 21. Attached as Exhibit T hereto is a true and correct copy of an August 2001

Investment Adviser Examination Report concerning Stein Roe & Farnham Incorporated prepared by OCIE.

- 22. Attached as Exhibit U hereto is a true and correct copy of the Order Instituting Administrative and Cease-and-Desist Proceedings In the Matter of Columbia Management Advisors, Inc. and Columbia Funds Distributor, Inc. Admin. Proc. File No. 3-11814.
- 23. Attached as Exhibit V hereto is a true and correct copy of the April 22, 1993 SEC letter in connection with Triad Asset Management, Inc.'s "Mutual Fund Market Timing" program.
- 24. Attached as Exhibit W hereto is a true and correct copy of a transcript reflecting an October 25, 2001 speech by Paul Roye, SEC Director, Division of Investment Management, before the American Law Institute-American Bar Association Life Insurance Company Products Company.
- 25. Attached as Exhibit X hereto is a true and correct copy of the September 28, 1999 letter from Lorna MacLeod of the SEC to Cova Financial Services Life Insurance Company.
- 26. Attached as Exhibit Y hereto is a true and correct copy of the January 12, 2000 letter from Rebecca Marquigny of the SEC to American General Financial Group.
- 27. Attached as Exhibit Z hereto is a true and correct copy of the January 28, 2002 response letter from Liberty Funds Group to Kevin Rupert of the SEC.
- 28. Attached as Exhibit AA hereto is a true and correct copy of a September 2000 Investment Adviser Data Sheet and Examination Report from the OCIE exam of D.R. Loeser & Co., Inc.
- 29. Attached as Exhibit BB hereto is a true and correct copy of an August 2001 Investment Adviser Examination Report from the OCIE exam of Signalert Corporation and

Appel Asset Management Corporation.

30. Attached as Exhibit CC hereto is a true and correct copy of a transcript reflecting excerpted portions of the November 18, 2003 testimony of Commission Chairman William Donaldson before the United States Senate Committee on Banking, Housing, and Urban Affairs.

I declare under penalty of perjury that the foregoing is true and correct.

Executed October 8, 2010

Christopher M. Joralemor

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on 10.8 2010